

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**DUGGAN FAMILY PARTNERSHIP, LLP,**

Plaintiff,

v.

**CITY OF JEFFERSONVILLE, GEORGIA,**

Defendant.

Civil Action 5:09-CV-194 (HL)

**ORDER**

Currently before the Court are Plaintiff's Motion to Reopen Case and Motion for Sanctions, Attorney's Fees and Costs (Doc. 30) and Motion for Hearing (Doc. 27). This case was closed after the parties entered into a Consent Order, which was signed by the Court and filed on March 17, 2010 (Doc. 24). Plaintiff now contends that Defendant has failed to comply with certain provisions of the Consent Order, and has moved the Court to reopen the case and assess sanctions against Defendant.

After the Court received the initial draft of the Consent Order, it wrote a letter to counsel outlining several concerns with the proposed order. The Court informed counsel that it would "not retain jurisdiction of the case for purposes of enforcement of the order. When the order is entered and the case concluded I expect that to be an end of the matter and any future disagreements or efforts at enforcement must be by a new and separate action." (Doc. 21). It is this Court's standard practice not to retain jurisdiction in cases where the parties reach a settlement between

themselves, and this case is no different. As made clear in the Court's letter to counsel, if Defendant has failed to comply with the provisions of the Consent Order, Plaintiff should file a new lawsuit. The Motion to Reopen Case (Doc. 30) and Motion for Hearing (Doc. 27) are denied.

**SO ORDERED**, this the 30<sup>th</sup> day of November, 2010.

***s/ Hugh Lawson*** \_\_\_\_\_

**HUGH LAWSON, SENIOR JUDGE**

mbh